

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Karen Testerman, *pro se*

Lynn-Diane Briggs, *pro se*

Wayne Paul Saya, Sr., *pro se*

Plaintiffs

Vs

DAVID SCANLAN

SECRETARY OF STATE FOR NEW HAMPSHIRE, et al,

Defendants

Docket No. 1:23-cv-00499-JL-AJ

**PLAINTIFFS MOTION FOR VOLUNTARY DISMISSAL OF
DEFENDANT CHRIS AGER, WITHOUT PREJUDICE.**

Now come the Plaintiffs, Wayne P. Saya, Sr., “Plaintiff Saya” and Lynn-Diane Briggs, “Plaintiff Briggs”, both *pro se*, and respectfully move the Court for a “Voluntary Dismissal of Defendant Chris Ager”, “Defendant Ager”, from the above-named and numbered complaint, independently and in his official capacity as Chairman of New Hampshire Republican State Committee “NHRSC”, and without prejudice, for the following reasons:

1. The honorable Joseph N. Laplante, has not issued ‘Final judgement’ of the above-named and numbered case. See LeBoon v Lancaster Jewish Community Ctr Ass ’n, 503 F3d 217, 224 (CA 3, 2007).

2. On or around February 4th, 2024, Defendant Ager's counsel of record requested Plaintiffs Saya and Briggs to seriously consider dismissing the complaint, for reasons of law and costs of the litigation.
3. After a careful consideration of the financial legal obligations for Defendant Ager and the NHRSC to support such a Federal Appeal, Plaintiffs Saya and Briggs have measured Defendant Ager's request.
4. Although Plaintiffs Saya and Briggs still believe there may remain a continuing controversy regarding Defendant Ager's actions and of the New Hampshire State Election laws, Plaintiffs believe, but especially during a Presidential Election year, it is in the best financial interest of the NHRSC and in the interest of Party unity, to submit this Motion for a Voluntary Dismissal, without prejudice.
5. In reciprocating, Plaintiffs Saya and Briggs have made a good faith overture to Defendant Ager's counsel, that will determine Party unity, independent of this Motion for voluntarily dismissal.

Therefore, Plaintiffs Saya and Briggs pray the honorable court will grant the above-named and numbered action, in the interest of Justice, or for any reason/s this court may deem fair and just.

SWORN TO UNDER PAINS AND PENALTIES OF PERJURY THIS 12TH, DAY OF MARCH, 2024.



Wayne Paul Saya, Sr., *pro se*
Plaintiff
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/Lynn-Diane Briggs

Lynn-Diane Briggs, *pro se*
Plaintiff
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CERTIFICATE OF SERVICE

I, Wayne Paul Saya, Sr., Plaintiff, *pro se*, have caused to deliver the named , PLAINTIFF'S MOTION FOR VOLUNTARY DISMISSAL OF DEFENDANT CHRIS AGER, WITHOUT PREJUDICE, and the foregoing documents have been served upon the following Defendants and remaining Plaintiff by electronic mail:

David Scanlan, Defendant
Secretary of State of New Hampshire
C/O: Brendan Avery O'Donnell
NH Department of Justice (Concord)
One Granite Place South
Concord, NH 03301
603-271-3650
Fax: 603-271-2110
Email: brendan.a.odonnell@doj.nh.gov

Chris Ager, Defendant
Chairman
NH Republican State Committee
10 Water Street, Concord, NH 03301
By Counsel: Attorney Bryan Gould
Cleveland, Waters and Bass, P.A.
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Karen Testerman, Plaintiff, *pro se*
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**SWORN TO UNDER PAINS AND PENALTIES OF PERJURY this 12th, day of March,
2024.**



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